

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:10-CR-8-1-F

| | | |
|-----------------------------|---|--------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| CORNELL BREON RILEY HARPER, |) | |
| Defendant. |) | |

On remand from the Fourth Circuit Court of Appeals, see [DE-78, -79, and -08] reversing Cornell Breon Riley Harper's conviction in the above-captioned matter, and on motion of the Government [DE-81], it hereby is ORDERED as follows:

The Judgment imposing sentence herein entered herein on October 6, 2010 [DE-66], hereby is VACATED, as is the three-year term of supervised release and all conditions of such release, and the order to pay a \$100 special assessment;

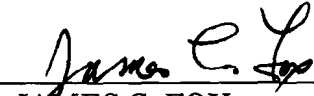
The Clerk of Court is DIRECTED to refund such portion, if any, of the \$100 special assessment that already has been paid;

The Government's Motion to Dismiss the Indictment as against Harper only is ALLOWED;

The Bureau of Prisons is DIRECTED immediately to RELEASE the defendant from custody, subject to any federal or state detainers that are pending against him.

SO ORDERED.

This, the 6th day of October, 2011.



JAMES C. FOX
Senior United States District Judge